

FILED IN CHAMBERS
THOMAS W. THRASH JR.
U. S. D. C. Atlanta

DEC 1 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES N. HATTEN, Clerk
By *[Signature]* Deputy Clerk

PRINCE ABD AL-HAKIM	:	PRISONER CIVIL RIGHTS
MUJAHID, a.k.a., Kim Little,	:	42 U.S.C. § 1983
Plaintiff,	:	
	:	
v.	:	
	:	
SHERIFF THOMAS BROWN, et	:	
al.,	:	CIVIL ACTION NO.
Defendants.	:	1:10-CV-3849-TWT

ORDER and OPINION

Plaintiff, Prince Abd Al-Hakim Mujahid, confined in the DeKalb County Jail, in Decatur, Georgia, seeks to file this civil rights action without prepayment of the filing fee. (Doc. Nos. 1, 2.) It is apparent that Plaintiff is Kim Little, a.k.a. Prince Mujahid, who previously has filed actions in this Court.¹ The Clerk of Court is **DIRECTED** to adjust the docket to show Plaintiff as Prince Abd Al-Hakim Mujahid, a.k.a., Kim Little.²

¹ Plaintiff's ID number is 411225, and he previously has filed an action in which he identified himself as Prince Abd Mujahid and Kim Little. (See Doc. No. 2, Attach.); Little v. U.S. Attorney Gen., 1:10-CV-0553-TWT (N.D. Ga. March 26, 2010) (I.D. Number 411225, DeKalb County Jail).

² Plaintiff's last name is Mujahid. (Doc. No. 1 ¶ III; Doc. No. 2, Attach.)

Plaintiff brings this action against Sheriff Thomas Brown, Dr. Brickhouse, and Officer McLaurin and complains that (1) he has experienced difficulty in obtaining legal forms, (2) he has experienced suicidal tendencies due to jail conditions³ and was placed on suicide watch, (3) he was denied his mental health medication for three months after his arrest, and (4) in July 2010 he was attacked by another inmate, who has not been prosecuted. (Doc. No. 1 ¶¶ III, IV and Attach. (A).) Plaintiff contends that he has established imminent danger, which still exists. (Id., Attach. (B).)

Section § 1915(g) of Title 28 does not allow a prisoner to bring an in forma pauperis civil action in federal court “if the prisoner has, on 3 or more prior occasions, while incarcerated . . . , brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” When § 1915(g) does not allow a prisoner to proceed in forma pauperis, the complaint should be dismissed without prejudice, and, a prisoner wishing to pursue his or her claims, must refile the action with full payment of the filing fee. See Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

³ It appears that those conditions include the denial of mental health medications for three months, the attack by another inmate, and difficulty obtaining legal forms.

Plaintiff, while incarcerated, has filed at least three civil actions that have been dismissed as frivolous, malicious, or for failure to state a claim. Little, 1:10-CV-0553-TWT (listing cases). Here, although Plaintiff became suicidal, he was placed on suicide watch. Although Plaintiff alleges that he went without certain medications for a time, there is no indication that he currently is being denied medications or is in imminent danger based on his medication needs. Further the attack by the other inmate occurred approximately four months ago, and does not show that Plaintiff is in imminent danger. On review of Plaintiff's allegations, the Court perceives no imminent threat of serious injury to Plaintiff, and this case is due to be dismissed.

IT IS ORDERED that Plaintiff is **DENIED** in forma pauperis status and that the instant action is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Plaintiff's motion for appointment of counsel (Doc. No. 3) is **DENIED** as moot.

IT IS SO ORDERED, this 1 day of December, 2010.



THOMAS W. THRASH, JR.
UNITED STATES DISTRICT JUDGE